

P-3639P1/BDIS-3CIP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Maino et al.
Serial No. : 08/803,702
Filed : February 21, 1997
For : METHOD FOR DETECTING T CELL RESPONSE
TO SPECIFIC ANTIGENS IN WHOLE BLOOD
Group Art Unit : 1644
Examiner : Phillip Gabel, Ph.D.

Palo Alto, CA
January 13, 2000
By Facsimile

Group 1640 FAX Response
Hon. Assistant Commissioner
for Patents
Washington, D.C. 20231

RESPONSE TO RESTRICTION REQUIREMENT AND
ELECTION OF SPECIES

Sir:

In response to the Office Action mailed December 13, 1999 with respect to the above-captioned application, applicants provide the following remarks.

REMARKS

Applicants elect to prosecute the invention of Group I, claims 19 - 55, drawn to "methods [for] detecting antigen-specific cytokine production," classified in Class 435, subclass 7.1, reserving the right under 35 U.S.C. § 121

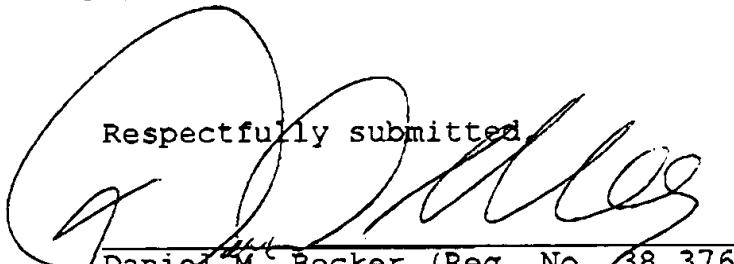
to prosecute the inventions of Groups II - IV in one or more divisional applications.

Applicants further elect within group I to prosecute the following species, to which examination shall be restricted if no claim generic thereto is found allowable, 37 C.F.R. § 1.146: anti- γ IFN, anti-CD4, anti-CD28, viral antigen, CMV antigen. Although the Examiner has stated that claim 1 is presently generic, applicants understand the Examiner to have meant that claim 19, the first independent claim of Group I, is generic.

No extension of time is believed required for this response. If, however, the present response is not received by facsimile by midnight, January 13, 2000, applicants respectfully petition for a one (1) month extension of time to respond, pursuant to 37 C.F.R. § 1.136(a).

No fee is believed due with this response. If a fee is deemed required, however, either for this response or for an extension of time, applicants authorize the Commissioner to charge any and all fees to deposit account no. 06-1075. This paper is provided in duplicate.

Respectfully submitted,


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13 JAN 2000

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